ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်
မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်
ခွင့်ပြုမိန့်

ခွင့်ပြုမိန့်အမှတ် ၈၀၈/၂၀၁၄ ၂၀၁၄ ခုနှစ် အောက်တိုဘာလ ၁၃ ရက်

ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော် နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု ဥပဒေပုဒ်မ ၁၃၊ ပုဒ်မခွဲ (ခ) အရ ဤခွင့်ပြုမိန့်ကို မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှု ကော်မရှင်က ထုတ်ပေးလိုက်သည်-

(က) ရင်းနှီးမြှုပ်နှံသူ/ ကမကထပြုသူ၏အမည် MR. HANS-HENRIK BAARK

(ခ) မည်သည့် နိုင်ငံသား GERMANY

(ဂ) နေရပ်လိပ်စာ 11 SUNSET DRIVE SINGAPORE 97471

(ဃ) ပင်မအဖွဲ့အစည်းအမည်နှင့်လိပ်စာ ALLIANCE ONE INTERNATIONAL SINGAPORE PTE. LTD. 78 SHENTON WAY 28-01, 079120 SINGAPORE

(င) ဖွဲ့စည်းရာအရပ် REPUBLIC OF SINGAPORE

(စ) ရင်းနှီးမြှုပ်နှံသည့်လုပ်ငန်းအမျိုးအစား ဆေးရွက်ကြီးစိုက်ပျိုးထုတ်လုပ်ခြင်းလုပ်ငန်း

(ဆ) ရင်းနှီးမြှုပ်နှံသည့်အရပ်ဒေသ(များ) ဆီဆိုင်မြို့နယ်၊တောင်ကြီးမြို့နယ်၊ ရှမ်းပြည်နယ် (တောင်ပိုင်း)

(ဇ) နိုင်ငံခြားမတည်ငွေရင်းပမာဏ အမေရိကန်ဒေါ်လာ ၉.၇၅၀ သန်း

(ဈ) နိုင်ငံခြားမတည်ငွေရင်းယူဆောင်လာရမည့်ကာလ ကော်မရှင် ခွင့်ပြုမိန့် ရရှိပြီး ၄ နှစ် အတွင်း

(ည) စုစုပေါင်းမတည်ငွေရင်းပမာဏ(ကျပ်) အမေရိကန်ဒေါ်လာ ၁၃သန်းနှင့် ညီမျှသော မြန်မာကျပ်ငွေ(အမေရိကန်ဒေါ်လာ ၉.၇၅၀ သန်း အပါအဝင်)

(ဋ) တည်ဆောက်မှုကာလ ၆ နှစ်

(ဌ) ရင်းနှီးမြှုပ်နှံခွင့်ပြုသည့် သက်တမ်း ၅၀ နှစ်

(ဍ) ရင်းနှီးမြှုပ်နှံမှုပုံစံ ဖက်စပ်နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု

(ဎ) မြန်မာနိုင်ငံတွင် ဖွဲ့စည်းမည့် ကုမ္ပဏီအမည် ALLIANCE ONE MYANMAR COMPANY LIMITED

ဥက္ကဋ္ဌ

မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

THE REPUBLIC OF THE UNION OF MYANMAR

The Myanmar Investment Commission

PERMIT

Sr, No. 407-K
Date. 15-10-2014

Permit No. 808/2014 Date 15th, October 2014

This Permit is issued by the Myanmar Investment Commission according to the section 13, sub-section (b) of the Republic of the Union of Myanmar Foreign Investment Law-

(a) Name of Investor/ Promoter MR. HANS-HENRIK BAARK

(b) Citizenship GERMANY

(c) Address 11 SUNSET DRIVE SINGAPORE 597471

(d) Name and Address of Principal Organization ALLIANCE ONE INTERNATIONAL SINGAPORE PTE. LTD.78 SHENTON WAY 28-01, 079120 SINGAPORE

(e) Place of Incorporation REPUBLIC OF SINGAPORE

(f) Type of Investment Business TOBACCO PLANTATION AND PRODUCTION

(g) Place(s) at which investment is permitted HSI HSENG TOWNSHIP, TAUNGGYI TOWNSHIP, SOUTHERN SHAN STATE

(h) Amount of Foreign Capital US$ 9.75 MILLION

(i) Period for Foreign Capital Brought In WITHIN FOUR YEARS FROM THE DATE OF ISSUANCE OF MIC PERMIT

(j) Total amount of capital (Kyat) EQUIVALENT IN KYATS OF US$ 13 MILLION(INCLUDING US $ 9.75 MILLION)

(k) Construction period 6 YEARS

(l) Validity of Investment Permit 50 YEARS

(m) Form of investment JOINT VENTURE

(n) Name of the company incorporated in Myanmar ALLIANCE ONE MYANMAR COMPANY LIMITED

Chairman

The Myanmar Investment Commission

THE REPUBLIC OF THE UNION OF MYANMAR

MYANMAR INVESTMENT COMMISSION

NO. 1, THITSAR ROAD, YANKIN TOWNSHIP, YANGON

Our ref: DICA-3/FI-959/ 2014(407-K) Tel: 95-1-658128

Date : 15th October 2014 Fax: 95-1-658136

Subject : Decision of the Myanmar Investment Commission on the Proposal for "Tobacco Plantation and Production" under the name of Alliance One Myanmar Company Limited.

Reference: Alliance One Myanmar Company Limited's Letter dated (25-2-2014)

1. The Myanmar Investment Commission, at its meeting (22/2014) held on (19-9-2014) had approved the proposal for "Tobacco Plantation and Production" under the name of "Alliance One Myanmar Company Limited" submitted as a Joint Venture between Alliance One International Singapore Pte. Limited (60%) and Representations International Pte; Ltd. (15%) from the Republic of Singapore and Agriculture Century Co., Ltd. (25%) from the Republic of the Union of Myanmar.

2. Hence, the "Permit" is herewith issued in accordance with Chapter VII, section 13(b) of the Foreign Investment Law and Chapter VIII, Rule 49 of the Foreign Investment Rules relating to the said Law. Terms and conditions to the "Permit" are stated in the following paragraphs.

3. The permitted duration of the project shall be 50(fifty) years commencing from the date of the approval of Myanmar Investment Commission.

4. Alliance One Myanmar Company Limited shall provide the inputs and materials on credit and barn construction guidance in accordance with the terms of Agreement for the sale and purchase (Contract Farming)of Flue Cured Virginia Tobacco and Burley tobacco made by Alliance One Myanmar Company Limited and Growers.

5. In issuing this "Permit," the Commission has granted, the followings, exemptions and reliefs as per section 27(a),(h),(i) and (k) of the Foreign Investment Law. Other exemptions and reliefs under section 27 shall have to be applied upon the actual performance of the project;

   (a) As per section 27(a), income tax exemption for a period of five consecutive years including the year of commencement on commercial operation;

(b) As per section 27(h), exemption or relief from customs duty or other internal taxes or both on machineries, equipments, instruments, machinery components, spare parts and materials used in the business which are imported as they are actually required for used during the period of construction of business;

(c) As per section 27(i), exemption or relief from customs duty or other internal taxes or both on raw materials imported for production for the first three-year after the completion of construction of business;

(d) As per section 27(k), exemption or relief from commercial tax on the goods produced for export.

6. Agriculture Century Co., Ltd. from the Republic of the Union of Myanmar shall have to sign the Joint Venture Agreement with Alliance One International Singapore Pte. Limited and Representations International Pte; Ltd. from Republic of Singapore. After signing the Agreement, (5) copies shall have to be forwarded to the Commission.

7. Alliance One Myanmar Company Limited in consultation with the Department of Company Registration, Directorate of Investment and Company Administration shall have to be registered. After registration, (5) copies each of Certificate of Incorporation and Memorandum and Articles of Association shall have to be forwarded to the Commission.

8. Alliance One Myanmar Company Limited shall use its best efforts for timely realization of works stated in the Proposal. If none of such works has been commenced within one year from the date of issue of this "Permit", it shall become null and void.

9. Alliance One Myanmar Company Limited has to abide by Chapter X, Rule 58 and 59 of the Foreign Investment Rules for construction period.

10. As per Chapter X, Rule 61 of the Foreign Investment Rules, extension of construction period shall not be granted more than twice except it is due to unavoidable events such as natural disasters, instabilities, riots, strikes, a State of emergency, insurgency and outbreak of wars.

11. As per Chapter X, Rule 63 of the Foreign Investment Rules, if Alliance One Myanmar Company Limited cannot construct completely in time the construction period or extension period, the Commission will have to withdraw the permit issued to the investor and there is no refund for the expenses of the project.

12. The commercial date of operation shall be reported to the Commission.

13. Alliance One Myanmar Company Limited shall endeavour to meet the targets for production stated in the proposal as the minimum target.

14. The Commission approves periodical appointments of foreign experts and technicians from abroad as per proposal and also in accordance with Chapter XI, section 24 and section 25 of the Foreign Investment Law and Alliance One Myanmar Company Limited has to follow the existing Labour Laws for the recruitment of staff and labour in accordance with Chapter XIII, Rule 84 of the Foreign Investment Rules.

15. In order to evaluate foreign capital and for the purpose of its registration in accordance with the provisions under Chapter XV, section 37 of the Foreign Investment Law, it is compulsory to report as early as possible in the following manner:-

(a) the amount of foreign currency brought into Myanmar, attached with the necessary documents issued by the respective bank where the account is opened and defined under Chapter XVI, Rule 134 and 135 of the Foreign Investment Rules;

(b) the detailed lists of the type and value of foreign capital defined under Chapter I, section 2(i) of the said Law, other than foreign currency.

16. Alliance One Myanmar Company Limited brings in foreign capital defined under Chapter I, section 2(i) of the said Law, other than foreign currency in the manner stated in paragraph 15(b) mentioned above, the Inspection Certificate endorsed and issued by an internationally recognized Inspection Firm with regard to quantity, quality and price of imported materials shall have to be attached.

17. Alliance One Myanmar Company Limited has the right to make account transfer and expend the foreign currency from his bank account in accordance with Chapter XVI, Rule 136 and for transfer of local currency generated from the business to the local currency account opened at the bank by a citizen or a citizen-owned business in the State and right to transfer back the equivalent amount of foreign currency from the foreign currency bank account of citizen or citizen-owned business by submitting the sufficient document in accordance with Chapter XVII, Rule 145 of the Foreign Investment Rules.

18. Alliance One Myanmar Company Limited shall report to the Commission for any alteration in the physical and financial plan of the project. Cost overrun, over

and above the investment amount pledged in both local and foreign currency shall have to be reported as early as possible.

19. Alliance One Myanmar Company Limited shall be responsible for the preservation of the environment at and around the area of the project site. In addition to this, it shall carry out as per instructions made by Ministry of Environmental Conservation and Forestry in which to conduct an Environmental Management Plan (EMP) which describe the measure to be taken for preventing, mitigation and monitoring significant environmental impacts resulting from the implementation and operation of proposed project or business or activity has to be prepared and submitted and to perform activities in accordance with this EMP and to abide by the environmental policy, Environmental Conservation Law and other environmental related rules and regulations.

20. Alliance One Myanmar Company Limited shall have to allocate 2% of the annual net profit for creating effective activities annually as Corporate Social Responsibility(CSR).

21. Alliance One Myanmar Company Limited shall have to abide by the Fire Services Department's rules, regulations, directives and instructions.

22. Payment of principal and interest of the loan as well as payment for import of raw materials and spare parts etc., shall be made from export earning income of Alliance One Myanmar Company Limited.

23. Alliance One Myanmar Company Limited in consultation with Myanma Insurance, shall effect such types of insurance defined under Chapter XII, Rule 79 and 80 of the Foreign Investment Rules.

(Zay Yar Aung)
Chairman

Alliance One Myanmar Company Limited

cc: 1. Office of the Union Government of the Republic of the Union of Myanmar
2. Ministry of Home Affairs
3. Ministry of Foreign Affairs

4. Ministry of Agriculture and Irrigation
5. Ministry of Environmental Conservation and Forestry
6. Ministry of Electric Power
7. Ministry of Immigration and Population
8. Ministry of Commerce
9. Ministry of Health
10. Ministry of Finance
11. Ministry of National Planning and Economic Development
12. Ministry of Labour, Employment and Social Security
13. Chairman, Central Bank of Myanmar
14. Office of the Shan State Government
15. Director General, Department of Agriculture
16. Director General, Department of Industrial Crops Development
17. Director General, Department of Environmental Conservation
18. Director General, Department of Forestry
19. Director General, Immigration and National Registration Department
20. Director General, Directorate of Trade
21. Director General, Customs Department
22. Director General, Internal Revenue Department
23. Director General, Directorate of Investment and Company Administration
24. Director General, Settlement and Land Records Department
25. Director General, Directorate of Labour
26. Managing Director, Myanma Electric Power Enterprise
27. Managing Director, Myanma Foreign Trade Bank
28. Managing Director, Myanma Investment and Commercial Bank
29. Managing Director, Myanma Insurance
30. Chairman, Republic of the Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI)